

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CASE NO.: 07CV6286 (GRD)

JUSTA C. MORALES, as personal
representative of the ESTATE OF
GUSTAVO A. MORALES

Plaintiff,

v.

CITIGROUP, INC. f/k/a THE NATIONAL CITY
BANK OF NEW YORK,

Defendant;

CITIGROUP, INC. f/k/a THE NATIONAL CITY
BANK OF NEW YORK,

Counter-plaintiff,

v.

JUSTA C. MORALES, as personal
representative of the ESTATE OF
GUSTAVO A. MORALES,
JANE DOES 1 – X, and JOHN DOES 1 - X

Counter-defendants.

PROPOSED JOINT CASE MANAGEMENT PLAN AND SCHEDULING ORDER

In accordance with this Court's Pretrial Conference order, entered on July 12, 2007 (DE 2), counsel for the parties have consulted and propose the following Joint Case Management Plan to the Court for its consideration. If adopted by the Court, this plan also will serve as a scheduling order pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure.

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1. **Rule 26(a)(1) Initial Disclosures** shall be completed by **October 12, 2007**.
2. No **additional parties** may be joined after **January 11, 2008**.
3. No **amendment** to the pleadings will be permitted after **January 11, 2008**.
4. **Rule 26(a)(2) Expert Disclosures** shall be completed by **February 8, 2008**.
5. **Rule 26(a)(2) Expert Rebuttal Disclosures** shall be completed by **February 29, 2008**.
6. The **Next Case Management Conference** will be held on **March 6, 2008 at 9:30 a.m.**
7. Except for good cause shown, all **discovery** shall be commenced in time to be completed by **March 28, 2008**.
8. **Mediation** is to be completed by **April 4, 2008**.
9. **Dispositive Motions** are to be served by **April 18, 2008**. Answering papers are to be served within 14 days. Reply papers are to be served within seven (7) days. In the event a dispositive motion is made, the date for submitting the Joint Pretrial Order shall be changed from that shown herein to three (3) weeks from the decision on the motion. The final pretrial conference shall be adjourned to a date four (4) weeks from the decision on the motion.
10. The **Joint Pretrial Order** shall be filed no later **May 16, 2008**. The requirements for the pretrial order and other pretrial submissions shall be governed by the Court's Individual Rules of Practice.
11. **Rule 26(a)(3) Pretrial Disclosures** shall be completed by **May 30, 2008**.
12. **Motions in Limine** shall be filed no later **June 6, 2008**.
13. **Rule 26(a)(3) Objections to Exhibit and Deposition Designations** shall be completed by **June 13, 2008**.
14. A final **pretrial conference** will be held on **June 17, 2008 at 9:30 a.m.**
15. The parties shall be **ready for trial** on 48 hours notice on or after **July 21, 2008**. The estimated trial time is **five (5) days**, and this is a **jury trial**.

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16. **All motions and applications** shall be governed by the Court's Individual Rules of Practice.

Respectfully submitted,

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